IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 19565 of 2002

Between:

1 Vanga Rama Krishna Prasad, S/o. V.V.Ratnam,
R/o. Vijayawada.
2 Vanga Syam Sundar, S/o.late V.V.Ratnam,
R/o. Vijayawada.
3 Dubagunta Lakshminarayana, S/o.late Subrahmanayam,
R/o. Vijayawada.
4 Chevuri Vijaya W/o. Ch.Venkateswara Rao,
R/o. Vijayawada.
5 Patiballa Panduranga Vittal, S/o. Ramakotaiah,
R/o. Vijayawada.
6 P.Siva Sharma, S/o. P.Pansuranga Vittal,
R/o. Vijayawada.
7 Patiballa Venkateswara Rao, S/o. Ramakotaiah,
R/o. Vijayawada.
8 P.V.Kameshwara Rao, S/o. P.Seshagiri Rao,
R/o. Vijayawada.
9 Nooney Siva Pandarinath, S/o. N.Mahabaleswara Rao,
R/o. Vijayawada.
10 Dubagunta Radhakrisna Murthy, S/o. Subrahmanyam,
R/o. Vijayawada.
11 Akula Chandra Kumari, W/o. A.Bala Murali Krishna,
R/o. Vijayawada.
12 M.V.Govindamma, W/o. Gangadhara Rao,
R/o. Vijayawada.
13 Patiballa Rambabu, S/o. Panduranga Vittal,
R/o. Vijayawada.

..... PETITIONERS

AND

1 Principal Secretary, Government of Andhra Pradesh,

Municipal Administration and Urban Development

Department, Secretariat Buildings, Hyderabad.
2 Vice Chairman,
The Vijayawada-Guntur-Tenali-Mangalagiri Urban

Development Authority, Vijayawada, Krishna District.
3 Commissioner, The Vijayawada Municipal Corporation,

Vijayawada, Krishna District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus directing the respondents to follow the directions given by a Division Bench of this Hon'ble in its Judgment dt.3-2-1998 in W.P.No.20884/97 and batch and also follow the due procedure prescribed under the provision of sections 145,146 and 147 of the Hyderabad Municipal Corportation Act and follow the procedure prescribed under the law before demolishing the respective houses of the petitioners, viz., Municipal Door Nos.27-1-172/A; No.27-1-45; No.27-1-130; 27-1-131;27-1-132;27-1-133;27-1-134; and 27-12-1;No.30-22-21 and 30-22-22; No.29-37-3;No.29-37-3/2; No.29-37-4; No.29-37-96 and29-37-97; No.30-22-73; No.27-11-34; No.29-37-60; 29-37-61; and 29-37-62; No.28-1-13; and 29-37-3/1, respectively; situated at Karl Max Road, Eluru Road, Vijayawada, Krishna District and further declare G.O.Ms.No.430, M.A., dt.23-9-2002 issued by the first Respondent, as illegal, improper and unjust.

Counsel for the Petitioners : MR.V.S.N.SARMA

Counsel for the Respondents : GP FOR MUNCIPAL ADMN. & URBAN DEVEVELOPMENT.

The Court made the following :

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ORDER :

When Vijayawada Municipal Corporation commenced work for road widening and asked for the consent of the petitioners, they filed the present writ petition apprehending high-handed action on the part of the respondent Corporation for demolishing their structures. Today, when the matter is called for hearing, learned counsel for the petitioners submits that all the petitioners have gave consent for acquisition of their lands, therefore, the writ petition has become infructuous.

The writ petition is accordingly dismissed as infructuous. No costs.

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(V.V.S. RAO, J.)

14-10-2004.

Msr.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 Principal Secretary to Government,
Municipal Administration and Urban Development

Department, Govt.of A.P., Secretariat Buildings, Hyderabad.
2 Vice Chairman, The Vijayawada-Guntur-Tenali-Mangalagiri

Urban Development Authority, Vijayawada, Krishna District.
3 Commissioner, The Vijayawada Municipal Corporation,

Vijayawada, Krishna District.

4. 2CCs to G.P. for Municipal Administration and Urban

Development, High Court Buildings, Hyderabad.

5. 2CD copies

HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.19565 of 2002

14-10-2004.

(Msr)